

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

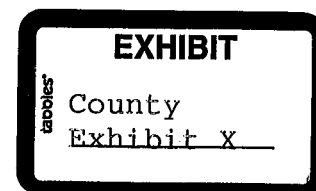
TRACEY WHITE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No. 14-cv-01490-HEA
)	
THOMAS JACKSON, et al.,)	
)	
Defendants.)	

DEPOSITION OF ANTONIO VALENTINE
Taken on behalf of the Plaintiffs
October 29, 2015

Reported by: Christine A. LePage, CCR #1000

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1 -oOo-

2 ANTONIO VALENTINE,

3 of lawful age, having been first duly sworn to testify the
4 truth, the whole truth, and nothing but the truth, deposes
5 and says on behalf of the Plaintiffs as follows:

6 DIRECT EXAMINATION

7 QUESTIONS BY MR. SHABAZZ:

8 Q Okay. Please state your name for the record.

9 A Antonio Valentine.

10 Q And how are you employed?

11 A I'm currently a detective with the St. Louis
12 County police department.

13 Q Okay. How long have you been a detective?

14 A About two months now.

15 Q Two months. And prior to that?

16 A I was a member of the Neighborhood Enforcement
17 Team.

18 Q Neighborhood Enforcement Team. What were your
19 duties there?

20 A Basically we were utilized inside the precinct
21 as a supplemental patrol element to assist with various
22 concerns as far as crime in the -- throughout St. Louis
23 County, all communities.

24 Q How long did you serve in that position?

25 A Two and a half years.

1 just my regular duty uniform?

2 Q Riot gear, riot shield, riot helmet, gas mask.

3 A No. No.

4 Q So that was the 10th. What about August 11th,
5 that Monday?

6 A That Monday?

7 Q Did you come on duty?

8 A Yes, I did.

9 Q Do you remember what time roughly?

10 A We were told to come in about 4 p.m.

11 Q About 4 p.m. Okay. And did you get briefed
12 when you came on duty?

13 A Yes, I did.

14 Q Okay. What did the briefing consist of?

15 A The briefing consisted of the same as the day
16 before, we had certain intersections that they wanted us
17 to be at and to actually form the skirmish lines, from
18 there basically like an interaction with the crowd, not to
19 engage them as far as some of the banter that we received
20 from them the day prior.

21 Q Meaning that don't answer them? When you say
22 banter, what do you mean?

23 A Like a response, because some of the name
24 calling, the individuals pointing us out, me being an
25 African-American officer, I wasn't taking -- I was

1 basically called out, called various things like Uncle
2 Tom, sellout, why you over there, brother, you need to be
3 with us, so -- and it just wasn't me, because we have
4 female officers that was on the line, and basically to --
5 basically to basically get our bearing so that it would
6 not escalate the crowd or incite them any more than what
7 they were already.

8 Q Now, was this briefing just towards the
9 African-American officers or all officers?

10 A All officers.

11 Q And would you say that this briefing was in
12 response to what had been occurring on the 10th in terms
13 of briefing you about the names that were being called and
14 so forth?

15 MR. HUGHES: You can answer, but I might just
16 object to the question as just calls for speculation. But
17 you can answer.

18 Q (by Mr. Shabazz) When they were telling you
19 about -- When you said that you were being called an Uncle
20 Tom and a sellout, was this something you heard with your
21 own ears?

22 A Yes.

23 Q On the 9th?

24 A No, not the 9th. You said the 10th.

25 Q On the 10th?

1 A Yes.

2 Q Once you went out there, you heard all that?

3 A Yes, I did.

4 Q And prior to that your superiors had told you
5 basically don't respond to that?

6 A On the 10th, no, they did not, because they, I
7 guess, were not aware of it. You were actually speaking
8 about the 11th, and that's when they told us, because a
9 lot of officers, we went back and we voiced our concern.

10 Q But, now, when those names that you were being
11 called, what kind of affect did that have on you?

12 A Little to none, sir.

13 Q It had no affect on you?

14 A At that time, I'm letting individuals voice
15 their opinion.

16 Q How many black officers was in those briefings
17 roughly, from what you remember?

18 A I could just be accountable for me and the
19 fellow officer that was in my unit. I didn't go around
20 and just, say, embrace hands or anything, sir, so I
21 couldn't give you a number.

22 Q How many total in your unit?

23 A Two.

24 Q And how many total officers in your unit?

25 A Six.

1 Q Six, okay. Okay. So that was the 11th, that
2 was a Monday. Did you participate in any crowd dispersal
3 on that 11th?

4 A I really don't recall us actually dispersing
5 crowds on the 11th.

6 Q Did you make any arrests on that Monday?

7 A I don't recall any arrests that Monday.

8 Q Okay. What about Tuesday?

9 A Tuesday. No arrests that I know of.

10 Q What about this crowd dispersal on Tuesday?

11 A Yes, the crowds were dispersed on Tuesday, I
12 remember us actually going further north on West
13 Florissant toward Canfield and toward Northwinds.

14 Q Okay. You came -- What time did you come on
15 duty the 12th, Tuesday?

16 A About 4, 4 p.m.

17 Q 4 p.m. What kind of -- Okay, again, tell me
18 about your day that day, the 12th.

19 A The 12th? I arrived at the Buzz Westfall
20 Center, reported in, let my sergeant know I was there, and
21 then we had another briefing like the day before.

22 Q Uh-huh. What was said at that briefing on the
23 12th?

24 A Roughly the same things about the interaction
25 with the crowds, we need to relay information back to our

1 supervisors so they can relay that back to our higher-ups
2 so they can get a -- to be aware of what actually was
3 going on.

4 Q Okay. Did they give you any -- I know you've
5 said that they talked to you about going back and forth
6 verbally with the crowd. What about dispersal, did they
7 tell you -- did they instruct you when it was -- Did
8 they -- Strike that. Did you receive any briefing on when
9 and to disperse persons?

10 A That directive will come from basically my chain
11 of command.

12 Q So that you would hear it in the field, is that
13 what you're saying, you would get that order in the field?

14 A Yes.

15 Q When it was time to disperse?

16 A Yes.

17 Q And did you get that order on the 12th?

18 A Yes.

19 Q More than one time? Did you have to disperse
20 crowds on the 12th?

21 A I'd say we -- As we further moved north on West
22 Florissant, yes.

23 Q Okay. And when -- What was the cause of the
24 dispersals?

25 A Individuals were throwing rocks at us, liquor

1 bottles, like glass bottles, and they were breaking, some
2 of them didn't actually -- because I guess the distance,
3 they were like breaking and hitting the ground, some of
4 them hit the crowd, our crowd, as a police skirmish line,
5 rocks were thrown, batteries, water bottles, they started
6 to like actually turn in some of the businesses, the
7 surrounding businesses along West Florissant.

8 Q This was in the 12th, on the 12th?

9 A Yes.

10 Q In the daytime?

11 A No, I told you I showed up in that afternoon.

12 Q You showed up at 4. About what time did you say
13 that these acts of breaking things and throwing things,
14 about what time would that have occurred?

15 A Roughly about 6 or 7 p.m.

16 Q Six or 7 p.m. And it was still daylight out; is
17 that right?

18 A No, I'd say it was pretty dusk, it was getting
19 dark.

20 Q It was in August, it may still be light. It was
21 August, right?

22 A Yes, it was August.

23 Q So it wasn't -- sometime around dusk?

24 A Uh-huh.

25 Q And you say that things were being thrown at

1 that time?

2 A Yes.

3 Q Now, is it also true that on August the
4 12th that crowds were being dispersed that were not
5 engaging in any form of violence?

6 A You're asking me is that true?

7 Q Yeah, is that true that on West Florissant that
8 crowds were being dispersed and they weren't engaging in
9 any violence at all?

10 A The crowds were mixed. So you had individuals
11 that were actually protesting, holding signs, at the same
12 time they were confronting officers, coming up to the
13 skirmish line, and mixed in with them were individuals
14 that were actually throwing at us also, throwing various
15 items, confronting us, coming at us, telling us what
16 they're going to do, how they're going to shoot us, attack
17 us, so the crowd was mixed.

18 Q Every crowd that you engaged was mixed or was
19 always mixed?

20 A Yes.

21 MR. HUGHES: Just object to that, I think first
22 you asked him about the 12th and now you're asking every
23 crowd, so I'm not quite sure where you're going --

24 Q (by Mr. Shabazz) On August 12th, on August
25 12th, was every crowd that you engaged in and eventually

1 Q Not on the 12th?

2 A No, not on the 12th.

3 Q But only on the date that we're talking about
4 here where -- the incident with the white vehicle --

5 A That you just brought up, uh-huh.

6 Q -- and Mr. White and Mr. Bowers?

7 A Yes, the one you just brought up.

8 Q But on the 12th you did not?

9 A We were not at that intersection on the 12th.

10 Q Okay. So let's talk about the 13th. So on the
11 13th you say, again, that there were people that were
12 throwing bottles, batteries, and being violent with the
13 officers, and so what happened?

14 MR. HUGHES: You can answer. Just kind of --

15 Q (by Mr. Shabazz) Once the violence you say
16 occurred, what happened after that? Were you given a
17 command?

18 A No, commands were given to the crowd actually
19 that they were not peacefully protesting anymore and that
20 they needed to basically disperse and leave the area.
21 Like I say, it just wasn't batteries and bottles of water,
22 it was glass, bricks were thrown, we were being
23 confronted, threatened, they were coming at us, I'd say
24 ten or more commands --

25 MR. HUGHES: Wait, wait, I object.

1 Q Okay. What happened next? Let's go over it
2 together. We're on the --

3 A Okay. What happened next was that --

4 Q Just point it out to me as you all move up
5 Chambers.

6 A We were still on skirmish lines here, so we're
7 facing east, we're along West Florissant, I know I told my
8 immediate supervisor that actually individuals were
9 actually running in between the businesses, like the
10 Exquisite Cuts that I pointed out and the Zisser Tire, and
11 were basically flanking us.

12 Q Uh-huh.

13 A So as we started to push and go across and to
14 like clear out those businesses and have the individuals
15 move or disperse, like they were being informed, we were
16 told to stop because more rocks and more batteries and
17 more glass was being thrown at us, it like intensified.
18 From there --

19 Q So you were told to stop what?

20 A Just inside the business parking lots.

21 Q To stop pursuing them?

22 A We were never pursuing.

23 Q To stop the -- the whole skirmish line stop?

24 A To stop moving forward.

25 Q Okay. Well, how long did that last for? How

1 long did the line stop for?

2 A As we were given the first command?

3 Q Yes.

4 A Basically we stepped in about five feet, and
5 basically that put us inside -- we went from the curb of
6 the street inside the parking lots, just inside the
7 parking lots of the businesses, we were told to stop
8 because it intensified.

9 Q Then what happened next?

10 A More commands were given, and from there that's
11 when smoke was deployed more or less.

12 Q Okay. Where were you when the smoke was
13 deployed?

14 A I was actually in between the businesses right
15 here, between the Zisser Tire and the Exquisite Cuts.

16 Q Okay.

17 A And that's where I saw individuals basically
18 flanking us and coming around us, and we started to like
19 receive debris or various items thrown at us from this
20 general area, like the back of these residences.

21 Q Okay. Are you aware of any incidents that took
22 place on this corner the night before?

23 A The night before?

24 Q August 12th. Are you aware of any altercations
25 between demonstrators and police that took place on

1 August 12th at this same corner?

2 MR. HUGHES: My only objection is I think that
3 he's already addressed that, so --

4 MR. SHABAZZ: He just said he wasn't there.

5 MR. HUGHES: Oh, so you're asking --

6 MR. SHABAZZ: I'm just asking him is he aware of
7 any incident that took place between demonstrators and
8 police on the 12th.

9 A You're talking about the 12th, not the 13th?

10 Q (by Mr. Shabazz) Yes, on the 12th, on the same
11 intersection.

12 A On the 12th, I was not there, so, no, I do not
13 know of any.

14 Q Okay. You're not aware of any?

15 A I'm not aware of any.

16 Q Okay. Now, tell me what happened. You deployed
17 the gas here. Tell me, walk me through what happened.

18 A And we're talking about the 13th, correct?

19 Q Yes, sir.

20 A From there we actually -- the crowd basically
21 started going back east on Chambers, but then they're
22 still cutting in between businesses, they're going in
23 multiple directions.

24 Q Did you all pursue them?

25 A Pursue them, no.

1 A How far? The crowd would stop, they would run
2 so far, stop just short of us, like I say --

3 Q And your line kept -- And did your line keep
4 moving down Chambers?

5 A We would move roughly about 20 or 30 feet and
6 then stop, and then the crowd would come back and reengage
7 us.

8 Q Okay. Now, did you get up here to Dennis,
9 Chambers and Dennis Street, at some point, did you get to
10 this intersection?

11 A Yes.

12 Q Did some of the crowd run down Dennis?

13 A I'd say a few people did, but, like I say, it's
14 dark, I can't give you an exact number, but, yeah, some of
15 the crowd went down there.

16 Q Some people ran down Dennis, didn't they?

17 A Uh-huh.

18 Q Okay. And eventually you got here to Vickie,
19 right?

20 A Yes.

21 Q This next street?

22 A Yes, because a majority of the crowd actually
23 stayed on Chambers.

24 Q Okay. But there was smoke being shot, right?

25 A Yes.

1 Q And so they were also running away, right?

2 A Running away and then coming right back to
3 engage us.

4 Q Well, some.

5 A Like I say, a majority of the crowd was, it was
6 still the bulk.

7 Q And some of them were trying to flank you?

8 MR. HUGHES: I'm not sure he finished his
9 answer.

10 MR. SHABAZZ: I'm sorry.

11 A When I say a majority of the crowd, you're
12 roughly looking at 40 to 50 people, it's vehicles involved
13 with that crowd also, because they're going back and
14 forth, like I said, they're darting in and out of adjacent
15 streets, they're going up and down Chambers, because at
16 that time traffic had come to a standstill, it stopped, so
17 they were engaging us, like they're drawing us further in,
18 and all we -- they were not dispersing.

19 Q (by Mr. Shabazz) I understand. And tactically,
20 your objective was to prevent them -- one of your
21 tactics -- Strike that. One of your tactical objectives
22 was to prevent them from flanking your line and getting
23 behind you and attacking you; is that right?

24 A Where you pointed at the map, you just pointed
25 at the general area.

1 Q Yeah, I'm just saying as a general, as a general
2 tactic, I mean, as a general rule, you all were trying to
3 prevent them from flanking you and getting behind you; is
4 that right?

5 A But that was here at the church lot and
6 everything, I'm saying that's when they were still
7 engaging us.

8 Q Okay.

9 A Once we're getting further down the street,
10 they're actually like going at businesses, because one of
11 the businesses further down, we had got calls that, hey,
12 that that business was actually being looted on.

13 Q Okay. But some of the demonstrators ran down
14 Dennis Street, is that right, as your skirmish line moved
15 forward?

16 A Yes.

17 MR. HUGHES: It's been answered already.

18 Q (by Mr. Shabazz) Okay. Now, is it true that
19 some of the demonstrators ran down Vickie Street?

20 A I do not know about Vickie.

21 Q Okay. But those demonstrators that ran down
22 Dennis Street, they were pursued by officers that you were
23 aware of?

24 A No.

25 Q They were not pursued?

1 A No.

2 Q Okay. But you just told me that it was your
3 tactical objective to prevent the crowd from going down
4 other areas where they could loop back and get behind you;
5 is that right?

6 MR. HUGHES: Yeah, object to the form as
7 argumentative.

8 Q (by Mr. Shabazz) Okay. You can answer.

9 A When you say tactical advantage was that we
10 wouldn't have gone down Dennis --

11 Q Well, you --

12 A Let me finish, sir.

13 Q Okay.

14 A When they're going down -- When they actually
15 went down Dennis, you're roughly looking at like a handful
16 of people, at the same time they were actually cutting in
17 between the yards, going to adjacent streets, like I
18 stated before, no, we're not going to pursue and chase
19 just a handful of people when a majority of them, of the
20 main crowd, is still on Chambers. So, no, we did not ever
21 pursue anyone.

22 Q But, now, you had your eye on every officer?

23 A On every officer, no, I did not.

24 Q Okay. How many officers was it?

25 A You want an approximate number? I can't give

1 you that. I can account for me and my unit, because we
2 stayed together and we were attached with the tactical
3 operations unit and a few of the officers, so roughly
4 about 20.

5 Q About 20, you say?

6 A Just with me.

7 Q And how many -- Okay. And how many total out
8 there approximately?

9 A Like I said, I can't give you that approximate
10 number.

11 Q But how many units would you say were out there?

12 A I really can't say.

13 Q Okay. So now you say that here, down here on
14 Chambers and West Florissant, that you all would go behind
15 the businesses and the parking lots to pursue
16 demonstrators that may have been trying to flank you?

17 A No, we did not pursue anyone.

18 Q Down here, (indicating)?

19 A Yes.

20 Q Well, you said earlier that you all went behind
21 the buildings.

22 A No, no, we pushed up to the buildings. We did
23 not go and pursue anybody, like I said, we were making
24 sure that, hey, those businesses were okay, and that, no,
25 there was nobody else left behind it, because you had

1 A I said the vehicles were actually involved when
2 we were actually here at the church lot, I said there was
3 vehicles when we were on Chambers at Westdell, right there
4 at the church lot where they were engaging us, it was
5 vehicles there intermingling with the crowd, like I said,
6 they would turn around, because you had people on foot,
7 you had vehicles there, they would turn around, actually
8 going back heading east on Chambers.

9 Q Okay. So, now, on Lorna, what made you turn --
10 did you turn down Lorna?

11 A We actually stopped at Lorna.

12 Q What made you stop on Lorna?

13 A It was a command that was given by higher-ups.

14 Q Okay. And why was that command given?

15 MR. HUGHES: Objection, calls for speculation.

16 A I was not given a reason why.

17 Q (by Mr. Shabazz) Okay. What did you understand
18 that command -- When you heard that command, how did you
19 interpret the command?

20 MR. HUGHES: Object, calls for speculation,
21 conjecture.

22 Q (by Mr. Shabazz) How did you interpret it?

23 A To stop and basically stay where I'm at.

24 Q And why? Why did you understand -- Why did you
25 feel that that command was given at that time?

1 A Like I said, it came from higher-ups, they
2 didn't give a reason why to stop specifically at that
3 intersection.

4 Q Okay. And you stopped at the intersection and
5 did what?

6 A Basically, as far as my unit did, we did
7 accountability, we checked on each other.

8 Q You all just stopped at the intersection?

9 A Stopped at the intersection and checked on each
10 other, made sure that we were okay, no injuries or
11 anything like that.

12 Q And where were the demonstrators at that time?

13 A Like I said, some had actually turned down
14 Lorna.

15 Q Okay. But the majority of the demonstrators
16 were where, still ahead on Chambers?

17 A No, like I said, it had split, you had vehicles,
18 I stated before, vehicles that had turned down Lorna, you
19 had people that were actually still going on Chambers,
20 like I said, they had turned their vehicles around and
21 went back, you had people basically cutting in between
22 houses like right at that intersection, they was
23 cutting -- they was going down Lorna, cutting in between
24 houses, so it kind of like they split more or less.

25 Q Okay. Now, did they split just on Lorna and not

1 the other streets before that?

2 A Like I said before, I saw people that actually
3 split away from the group and went down Denise [sic].

4 Q Okay. Now, on Lorna, so you all stopped on
5 Lorna, and did you eventually turn to go down Lorna?

6 A Yes, we did.

7 Q Why Lorna and not the other streets?

8 A They were actually saying that there was
9 actually a large crowd that was actually gathering on
10 Lorna, like toward the middle of the street, and this was
11 basically being called out like by --

12 Q Did you see a large crowd on Lorna?

13 A Did I see a large crowd?

14 Q Yeah.

15 A When I walked to the intersection, no, I did
16 not, but it was actually conveyed to us by our unit.

17 Q Okay. Did you see any other officers coming
18 down Lorna from the other direction?

19 A No, I did not.

20 Q How many people did you see on Lorna?

21 A I just said, I didn't actually see --

22 Q You didn't see anyone?

23 A When I was at that intersection, I was facing
24 Chambers.

25 Q Okay. And so you were still seeing --

1 A East on Chambers.

2 Q -- the crowd on Chambers?

3 A Yes, and that's where I told you --

4 Q Okay. And did you get a command at some point
5 to proceed down Lorna?

6 A Yes, I did.

7 Q Okay. And what was that command based on, do
8 you know?

9 A Off of that crowd that was gathered.

10 Q On Lorna?

11 A Yes.

12 Q But you just said there was no crowd on Lorna,
13 right?

14 A You asked me on Lorna. I did state that it was
15 actually people on Lorna, a crowd was gathered on Lorna.

16 Q How many? How many, would you say?

17 A Ten to 15 or so.

18 Q Now, you said a moment ago that it was 40
19 people, that it was roughly 40 demonstrators. Are you
20 telling me that half of the demonstrators had turned on
21 Lorna?

22 A Yes. And when you say that, sir, what
23 intersection are you asking me?

24 Q Chambers and Lorna.

25 A Chambers --

1 Q At Chambers and Lorna, you said that there was
2 roughly 40 demonstrators.

3 A No, I did not. I did not say specifically Lorna
4 and Chambers had 40 demonstrators on it.

5 Q Okay. Well, how many demonstrators did Lorna
6 have on it?

7 A Ten to 15.

8 Q Okay. And you stated earlier that it was
9 roughly 40 demonstrators, right?

10 MR. HUGHES: I'm --

11 MR. SHABAZZ: He asked and answered it.

12 MR. HUGHES: No, I think you're misstating his
13 testimony, I really don't remember that statement made, so
14 just object to the form, it's misleading, assumes facts
15 not in evidence. But I just make my objection, you can
16 still answer, unless he asks you a different question.

17 Q (by Mr. Shabazz) Okay. So you saw 15 people,
18 roughly 10 to 15 people on Lorna?

19 A Yes.

20 Q What were they doing?

21 A Running in between the houses.

22 Q Okay. And what did you all do in response to
23 that?

24 A We turned on Lorna and actually started to go
25 down Lorna.

1 Q Who was left to -- Were any officers left to
2 pursue the demonstrators on Chambers?

3 A Like I said, we didn't pursue anybody, but it
4 was officers that was actually left at Chambers and Lorna.

5 Q About how many, do you recall?

6 A I don't.

7 Q Okay. So you went down Lorna, then what
8 happened?

9 A From there we actually was informed by the air
10 unit that there was a white vehicle, no lights, that was
11 actually heading back toward us, and I would say that
12 would be north on Lorna.

13 Q Okay. And did you actually see that white
14 vehicle moving towards you?

15 A Yes.

16 Q At what point?

17 MR. HUGHES: At what point did he see them or --
18 I just object to the form of the question.

19 Q (by Mr. Shabazz) Yeah. At what point -- Where
20 did you see the white vehicle on Lorna when you first
21 spotted it?

22 A (Indicating.) I'd say roughly about here,
23 (indicating,) so that would be one, two, three, four,
24 five, six, seven, about eight houses.

25 Q Okay. Now, what do you remember about that

1 vehicle?

2 A It had no lights, it was roughly driving at
3 approximately 20, 25 miles an hour, was not swerving or
4 anything, but it was coming at us, coming north on Lorna.

5 Q Okay. And what happened?

6 A From there commands were given out to the
7 vehicle, "Stop, pull over," it still continued to travel,
8 more commands were given out.

9 Q Who was giving the commands?

10 A Another member of my squad.

11 Q How? How was he giving them out? How? How did
12 he give out the commands?

13 A Like you want the exact verbiage or -- I'm not
14 understanding the question.

15 Q I mean, what did he use? Did he just use his
16 mouth to get out the commands? Did he just verbally give
17 out the commands? Was he just hollering?

18 A I would say all of us were actually saying
19 something, but he actually -- like when he identified the
20 vehicle himself, that's when he started giving out verbal
21 commands.

22 Q What was he saying?

23 A He was like, "Stop, pull over."

24 Q Did you all draw your weapons?

25 A Yes.

1 Q And from the time that you all gave out the
2 commands, how long did it take for the vehicle to stop?

3 A Roughly 60 seconds. I would say about 60
4 seconds roughly.

5 Q That's about two minutes, right?

6 A Sixty seconds?

7 Q Uh-huh. No, one minute, I'm sorry.

8 A Yes, it's one minute.

9 Q And you all drew your guns initially on command;
10 is that right?

11 A On command?

12 MR. HUGHES: Well --

13 A We were not given a command, sir.

14 Q (by Mr. Shabazz) Okay. When the command was
15 given -- Okay, when the command was -- When the verbal
16 warning was given to the vehicle, did you all draw your
17 weapons at that point?

18 A No.

19 Q At what point did you draw your weapons?

20 A After five, six commands.

21 Q Okay. And after you drew your weapons, how long
22 did it take for the vehicle to come to a stop?

23 A I just stated, roughly about 60 seconds, because
24 that's when we heard the brakes, we heard like squealing,
25 and it came to a stop, and that's --

1 Q Okay. So you drew your weapon for what reason?

2 A Because a vehicle with his headlights off, and
3 I'd say it was roughly driving at about 20 to 25 miles an
4 per hour actually coming at us.

5 Q That vehicle then would be considered a threat;
6 is that right?

7 A Yes, it was really not complying with our
8 commands and it's still coming at us, yes.

9 Q And that white vehicle was a threat to you; is
10 that right?

11 A Yes, I felt threatened.

12 Q Why did it take so long then? Why did -- Strike
13 that. If it was -- If it took 60 seconds from the time
14 you drew your weapon for the vehicle to reach you, why
15 didn't you act on that threat?

16 A Like I stated, the vehicle actually -- like you
17 could hear the brake, it came to a stop.

18 Q I mean, it took 60 seconds for it to come -- it
19 took 60 seconds?

20 A It is a large vehicle, sir, I don't know the
21 condition of the brakes or anything, or, like I said, I
22 remember hearing it, I did see it, and it came to a stop.

23 Q Okay. Now, what happened when the vehicle came
24 to a stop?

25 A More commands were given by, like I say, the

1 other officer, he gave commands like, "Hey, stop, put it
2 in park, show me your hands." At that time I put my
3 weapon away and I started to approach the passenger side
4 of the vehicle. Our entire line pushed up as he's giving
5 out those commands, after we got closer to the vehicle,
6 more commands, we're keeping our eyes on the vehicle, I
7 approached the passenger side of the vehicle with another
8 officer.

9 Q So what happened when you got to the vehicle?

10 A When I got to the vehicle, I approached the rear
11 passenger door, I saw the individual inside, his hands
12 were up, opened the door, I say, "Come on, get out, get
13 out, step out the car." I actually took control of his
14 left wrist, okay, I actually placed it behind his back, I
15 took control of his right arm, all right, and then I
16 actually had him go down to a knee and then actually laid
17 him on the ground.

18 Q Okay. So you did physically assist him to the
19 ground?

20 A Yes, I did.

21 Q Did you throw him to the ground?

22 A No, I did not.

23 Q If it came to your attention -- If it came to
24 your attention that the persons in the vehicle say that
25 you were the roughest one and most aggressive in throwing

1 Q Okay. Did you see what happened to the driver?

2 A No, I did not.

3 Q Did the passenger you had on the ground, was he
4 saying anything to you?

5 A At that time, no. I placed him in flex cuffs, I
6 patted him down to make sure he didn't have any weapons on
7 him or anything like that, then I stood him up.

8 Q And you did all that right by the side of the
9 vehicle?

10 A Yes, I did.

11 Q Okay. And then what happened after that?

12 A After that, I escorted the gentleman that was in
13 my custody to the curb across directly from the vehicle,
14 sat him down with the other two occupants, because they
15 were basically being placed there also, and we made them
16 sat on the curb. And I actually asked them, I'm like,
17 "Did you all not hear the commands to disperse any of the
18 area?" The one I was actually in custody of, the one I
19 had in my custody, he stated to me, "Yeah, we heard it,
20 but he kept driving," like motioning to the driver.

21 Q What happened after that?

22 A After that, the other two officers basically
23 maintained control of the individuals, I went back to the
24 vehicle and basically looked it over and gave like an
25 inventory, that's where I saw like various electronics, a

1 PA system that was in the trunk, I know like leaving it
2 there was going to be a problem. And when I mean problem,
3 like somebody was going to break into it or actually try
4 to steal the vehicle or anything if it's left right there.

5 Q Now, when you went across the street, you say
6 you went across to the other curb, that was on the
7 driver's side, right?

8 A Yes.

9 Q Okay. Now, at that point where was the driver?

10 A Like I say, he was being walked over to the same
11 spot, that's why I knew they would be placed together.

12 Q Do you remember him having a -- Do you remember
13 a camera associated with the driver?

14 A No, not at that time.

15 Q When you looked in the vehicle, did you see a
16 camera?

17 A I saw various equipment, various electronics, it
18 looked like cameras, it looked like computer equipment, I
19 know one was like speakers like for a PA system, so it was
20 various electronics in that vehicle.

21 Q Okay. But do you remember any discussion about
22 the driver and his camera?

23 A Yes.

24 Q Okay. What do you remember?

25 A That was actually brought up after I informed

1 demonstrating, but I just object to that. But anyway, you
2 can answer.

3 Q (by Mr. Shabazz) Yeah, that was --

4 MR. HUGHES: Do you want to hear the question,
5 again?

6 THE WITNESS: Yes, please.

7 MR. HUGHES: Can you just read the question?
8 Unless you want to rephrase it.

9 MR. SHABAZZ: I'll rephrase the question.

10 MR. HUGHES: Okay.

11 Q (by Mr. Shabazz) These persons who were
12 demonstrating, some of them as you say violently, had you
13 ever encountered that in your career as a police officer?

14 A No.

15 Q And is it fair to say that the events on --
16 between August 10th and 13th, you had never encountered
17 before?

18 A No.

19 MR. PLUNKERT: That is fair to say or that is
20 not fair to say?

21 Q (by Mr. Shabazz) Is that fair to say that you
22 had never encountered that before?

23 A Yes, I had never encountered that.

24 Q Did you feel that you were adequately trained
25 and prepared --

1 A Yes.

2 Q -- for what happened?

3 A Yes.

4 Q Okay. What kind of training on crowd control
5 and riots did you have?

6 A St. Louis County had conducted basically riot
7 training or crowd control training that year prior, we had
8 been doing it, it was part of our in-service that we did,
9 that we did that roughly from 2011, and we did it roughly
10 annually, if not biannually.

11 Q What did that training consist of?

12 A Formations, commands that would be given to us
13 as far as moving formations, the formations themselves,
14 the chain of command that would be used, and roughly just
15 going over different scenarios.

16 Q Okay. So in those trainings, who plays the role
17 of the crowd?

18 A Other officers or academy staff.

19 Q Okay. And did you find that training similar to
20 what you ran into?

21 A I don't think there's no -- nothing that can
22 simulate that.

23 Q Never seen anything like that?

24 A No.

25 Q When you were being called those names, how did

1 that make you feel in the performance of your duty?

2 A I have a lot of self-restraint and tact, so
3 taking words verbatim as what they are and leaving it as
4 that, I wasn't physically being assaulted or anything, so
5 I more or less took a blind eye to it.

6 Q Did it make you angry at some point?

7 A Angry, no.

8 Q Did it upset you at some point?

9 A Yes, it did.

10 Q Tell me why.

11 A As being a human being, seeing the degree of
12 negligence, disregard for human life and property, yes,
13 that made me upset.

14 Q And these people that I've called demonstrators
15 or you all call some of them either looters or rioters,
16 they got away with it. Do you feel like some of them, do
17 you feel like some of them were blatantly getting away
18 with committing crimes?

19 A Blatantly getting away with crimes?

20 Q Yes.

21 A Sir, they did what they did. I'm not here to
22 judge them or --

23 Q I mean, throwing a bottle at a police officer is
24 a crime, right?

25 A Yes, it is.

1 Q Or throwing rocks at police officers is a crime,
2 right?

3 A Yes, it is.

4 Q Did you hear anybody threatening to kill police
5 officers?

6 A Yes.

7 Q That's a crime, too, isn't it?

8 A Verbal?

9 Q Yes.

10 A No.

11 Q To verbally say I'm going to kill a police
12 officer, that is a crime, isn't it?

13 MR. HUGHES: I don't know, I --

14 A No, sir.

15 Q (by Mr. Shabazz) That is a threat, isn't it?

16 A It is a threat.

17 Q And you cannot threaten to kill a police officer
18 without going to jail; am I right?

19 A Sir, people say a lot of things in the heat of
20 moments.

21 Q I mean, but on -- okay, on normal occasions you
22 would arrest somebody for threatening to kill you; is that
23 right?

24 A No, I would not.

25 MR. HUGHES: Just object.

1 A No.

2 Q Huh?

3 A No.

4 Q Did you want to get the first person you could
5 get your hands on and lock them up?

6 A No.

7 Q Were there any tactical vehicles coming down
8 Lorna?

9 A Yes.

10 Q At what point?

11 A It was actually just rear of the skirmish line,
12 or just behind us.

13 Q What role did the helicopter play?

14 A Basically it was a set of eyes from an aerial
15 standpoint, it was able to see over and around buildings
16 or the obstructions, trees, looking into like wooded
17 areas, maybe shot a light, so it basically was our eyes
18 from above.

19 Q Okay. So what role did the helicopter play with
20 the white vehicle?

21 A It basically brought it to our attention,
22 because it had not been called out prior.

23 Q So you're saying that when -- Are you saying
24 that the helicopter had its lights on the vehicle as it
25 was proceeding toward you?

1 A In the general area, it was shining between --
2 behind businesses, behind residences, on the streets.

3 Q But not specifically on that truck?

4 A On that vehicle?

5 Q Yeah.

6 A Yeah, it did shine it on it a few times.

7 Q When the truck was coming towards you --

8 A Did you say truck or car, sir?

9 Q Car, I'm sorry. When the car -- Strike that,
10 car. When the car was coming towards you, did you see the
11 persons arrested, did they have the windows down?

12 A When the vehicle was coming at us?

13 Q Yeah, when it's coming at you, did you notice
14 whether the windows were down or not?

15 A No, because it was dark.

16 Q Did you see any hands out of the window?

17 A No, I did not.

18 Q Did you see out of the driver's side, did you
19 see the driver hand out of the window?

20 A No, I did not.

21 Q Okay. All right. Okay. Are you aware of any
22 police video that exists from any of this -- from any of
23 the incidents that we've described from August 13th down
24 here on Florissant and Chambers, all the way around to
25 Lorna, are you aware of any video that exists?

1 A No, not that I know of.

2 Q Okay. All right. I don't have any further
3 questions.

4

5 CROSS-EXAMINATION

6 QUESTIONS BY MR. HUGHES:

7 Q I have a few. Detective Valentine, I'll try not
8 to be long, but I just want to make sure I understand.
9 You said after this white vehicle stopped and you walked
10 up to the passenger side and then the -- after the
11 passenger was out you actually spoke to the passenger, and
12 from what my notes say, you said to him, "I asked him,
13 'Did you not hear the commands?'" Is that correct, you
14 asked that question?

15 A Yes, I did.

16 Q And he answered what, that he did hear the
17 commands?

18 A That he did hear the commands, but he kept
19 driving, and motioned towards the driver.

20 Q Okay. So at that point did you believe there
21 was probable cause to have this man arrested for
22 something?

23 A Yes.

24 MR. SHABAZZ: Objection.

25 Q (by Mr. Hughes) And that's based upon your

1 training and experience as a police officer?

2 A Uh-huh.

3 Q Is that a yes?

4 A Yes.

5 Q You had reasonable suspicion that there was some
6 offense committed; is that correct?

7 A Yes.

8 Q Okay. And then you also said you did an
9 inventory and you saw electronics in the car, is that
10 correct, or in the trunk?

11 A In the car and the trunk, yes.

12 Q Okay. And you said you also saw a PA system?

13 A Yes.

14 Q Now, again, Mr. Shabazz said you're under oath,
15 so you actually saw a PA system in the car that
16 Mr. Bowers, Mr. Bowers, and Mr. Kerry White were in; is
17 that correct?

18 A Yes.

19 Q Okay. And then just so we understand, you said
20 the words, and I didn't quite understand exactly what it
21 meant, that a tow truck was denied. Do you remember using
22 those words or something close to it?

23 A Yes.

24 Q Am I to understand that to mean that either the
25 tow truck driver or someone on behalf of the tow truck

1 driver decided it wasn't safe for the tow truck to come
2 into that area and tow the car from that street?

3 A Yes.

4 Q Okay. And so that's why it was then driven to
5 the Lucas & Hunt and West Florissant, is that correct, by
6 somebody?

7 A Yes. Uh-huh.

8 Q Is that a yes?

9 A Yes.

10 Q Okay. And do you remember when you made some
11 statement saying that you were I think near the barber
12 shop, and you said you saw some individuals flanking us,
13 and you made another comment that crowds were flanking us;
14 do you remember that?

15 A Yes.

16 Q Okay. And did you -- At or near that location,
17 did you happen to see anyone who may be in the room now?

18 A Yes.

19 Q In that area?

20 A Yes.

21 Q Who was that?

22 A Mr. Shabazz.

23 Q Okay. As Mr. Shabazz said at the very
24 beginning, you're under oath, so you're under oath; is
25 that correct?

1 A Yes.

2 Q So you actually saw Mr. Shabazz. Where did you
3 see him?

4 A Actually behind the barber shop where I was
5 positioned at.

6 Q Do you remember what he was wearing by any
7 chance that night or what shirt or anything?

8 A Like a yellow shirt, khaki pants, had a bullhorn
9 with him.

10 Q He had a what?

11 A A bullhorn.

12 Q He had a bullhorn?

13 A Yes.

14 Q Okay. So number one, he was there, so number
15 one, he would be a witness; is that correct?

16 A (Witness nods.)

17 Q Is that right?

18 A Yes.

19 Q And he had a bullhorn. So my question to you is
20 was he an active participate in some way?

21 A Yes.

22 Q Tell us what he was doing.

23 A He was actually directing the crowd, because,
24 like I said, once we came -- we established our skirmish
25 line, like I say, I was positioned in between the barber